

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hanae KAKU *et al.*

Serial No.: 10/591,576

Group No.:

Filed: 08/31/2006

Examiner:

For: Chitin Oligosaccharide Elicitor-Binding Proteins

## TRANSMITTAL

## MS PCT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 16, 2007

By: \_\_\_\_\_

Cliff Cannon-Cin

Dear Sir or Madam:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed **May 3, 2007** (a copy of which is enclosed), Applicants submit the following documents:

- Combined Declaration and Power of Attorney
- Statement under 37 CFR 3.73(b) of National Institute of Agrobiological Sciences with copy of Assignment
- Power of Attorney by Assignee, National Institute of Agrobiological Sciences
- Statement under 37 CFR 3.73(b) of RIKEN with copy of Assignment
- Power of Attorney by Assignee, RIKEN
- Information Disclosure Statement, PTO-1449 and copies of 14 references

A check in the amount of \$130.00 is enclosed herewith to cover the \$130.00 declaration surcharge. The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: May 16, 2007

By: \_\_\_\_\_



Christine A. Lekutis  
 Registration No. 51,934

05/23/2007 JBALINAN 00000121 10591576

01 FC:1617

130.00 OP

MEDLEN & CARROLL, LLP  
 101 Howard Street, Suite 350  
 San Francisco, California 94105  
 (415) 904-6500

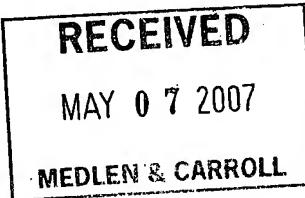


## UNITED STATES PATENT AND TRADEMARK OFFICE

SF

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/591,576	Hanae Kaku	SHIMIZU-13111
INTERNATIONAL APPLICATION NO.		
PCT/JP05/03451		
I.A. FILING DATE	PRIORITY DATE	
03/02/2005	03/03/2004	
CONFIRMATION NO. 3078		
371 FORMALITIES LETTER		
 *OC000000023662182*		



Date Mailed: 05/03/2007

*Rec'd. 7/3/07 PTO*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/31/2006
- English Translation of the IA filed on 08/31/2006
- Copy of the International Search Report filed on 08/31/2006
- Preliminary Amendments filed on 08/31/2006
- Biochemical Sequence Diskette filed on 08/31/2006
- Biochemical Sequence Listing filed on 08/31/2006
- Request for Immediate Examination filed on 08/31/2006
- U.S. Basic National Fees filed on 08/31/2006
- Priority Documents filed on 08/31/2006
- Specification filed on 08/31/2006
- Claims filed on 08/31/2006
- Abstracts filed on 08/31/2006
- Drawings filed on 08/31/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors; in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

- Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>
- For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

WINSTON M ALVARADO

---

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,576	PCT/JP05/03451	SHIMIZU-13111

FORM PCT/DO/EO/905 (371 Formalities Notice)